

IN THE MATTER OF THE APPLICATION OF CLARENCE McNEAL, ET UX FOR A SPECIAL HEARING AND VARIANCE (82-228-SPHA) AND FOR SPECIAL EXCEPTION AND VARIANCE (84-63-XA) ON PROPERTY LOCATED ON THE NORTH EAST CORNER OF OREMS AND COMPASS ROADS AND ZONING VIOLATION CASE 81-282-V 15TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

ORDER OF DISMISSAL

This matter comes before this Board on appeal from an Order of the Deputy Zoning Commissioner regarding Case No. 81-282-V; Case No. 82-228-SPHA; and Case No. 84-63-XA.

WHEREAS, the Board is in receipt of a Motion to Dismiss dated October 11, 1995 from Nancy E. Paige, Esquire, Counsel for Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel for Appellant requests dismissal of this matter as indicated in the attached Motion;

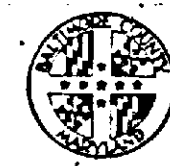
IT IS HEREBY ORDERED this 30th day of October, 1996 by the County Board of Appeals of Baltimore County that the above-referenced appeals in Case No. 82-228-SPHA; Case No. 84-63-XA; and Case No. 81-282-V be and the same are hereby DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Robert O. Schuets, Chairman

Lawrence M. Stuhl

S. Diane Levero



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

October 30, 1996

Nancy E. Paige, Esquire
GORDON, FEINBLATT, ROTHMAN,
HOFFBERGER & HOLLANDER
Garrett Building
233 E. Redwood Street
Baltimore, MD 21202

RE: Case No. 82-228-SPHA /84-63-A
Clarence McNeal, et ux
(Ref. Case 81-282-V)

Dear Ms. Paige:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,
Kathleen C. Bianco
Legal Administrator

encl.

cc: John B. Gontrum, Esquire
People's Counsel for Baltimore County
Pat Keller
Arnold Jablon, Director /PDM

Printed with Soy-based Ink
on Recycled Paper

IN THE MATTER OF CLARENCE McNEAL, Et UX
NE/ Corner Orems and Compass Roads
15th Election District
5th Councilmanic District
Re: SPH - McNeal Trailer Park
Variances - Distances
MO - Mobile Home Park

BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Case No. 82-228-SPHA
84-63-XA

MOTION TO DISMISS

NOW COMES Goldentree Development Company, Appellant, by and through its attorneys, Gordon, Feinblatt, Rothman, Hoffberger & Hollander, and Nancy E. Paige, Esq., and Moves that this Board dismiss the appeal in the above-captioned case.

WHEREFORE, Appellant respectfully requests the following:

1. That this Board dismiss the Appeal in the above-captioned case; and
2. That this Board grant such other and further relief as the nature of this case may require.

Nancy E. Paige, Esq.
Gordon, Feinblatt, Rothman,
Hoffberger & Hollander
Garrett Building
233 E. Redwood Street
Baltimore, Maryland 21202
(410) 576-4000

90-2111 21 10065

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October, 1995, I mailed the foregoing Motion to Dismiss to the County Board of Appeals of Baltimore County, Old Courthouse, Room 49, 400 Washington Avenue, Towson, Maryland 21204; and mailed copies of the foregoing Motion to Dismiss, postage prepaid, to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, P.A., 814 Eastern Boulevard, Baltimore, Maryland 21221; Peter Max Zimmerman, People's Counsel for Baltimore County, 400 Washington Avenue, Room 47, Towson, Maryland 21204; and to Michael J. Moran, Assistant County Attorney, 400 Washington Avenue, Towson, Maryland 21204.

Nancy E. Paige, Esquire

RE: PETITION FOR SPECIAL HEARING AND ZONING VARIANCE AND PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NE/Corner Orems Road & Compass Road 15th Election District 5th Councilmanic District
CLARENCE McNEAL, et ux, Petitioners

NOTICE OF DISMISSAL OF APPEAL

Please dismiss the appeal of the People's Counsel for Baltimore County in the above-captioned case because, upon further review, it appears it is no longer in the public interest to pursue this appeal.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 10th day of December, 1987, a copy of the foregoing Notice of Dismissal of Appeal was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221; and Nancy E. Paige, Esquire, Gordon, Feinblatt, Rothman, Hoffberger & Hollander, 233 E. Redwood St., Baltimore, MD 21222.

Peter Max Zimmerman

RE: PETITION FOR SPECIAL HEARING AND ZONING VARIANCE AND PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NE/Corner Orems & Compass Rd. 15th Election District 5th Councilmanic District
CLARENCE McNEAL, et ux, Petitioners

NOTICE OF APPEAL

Please note an appeal on behalf of Goldentree Development Company from the decision of the Deputy Zoning Commissioner in the above-captioned matter, under date of August 31, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

Nancy E. Paige

Gordon, Feinblatt, Rothman,
Hoffberger & Hollander
233 E. Redwood Street
Baltimore, Maryland 21222
(301) 576-4294

Attorney for Goldentree Development Company, Protestant

I HEREBY CERTIFY that on the 29th day of September, 1987, a copy of the foregoing Notice of Appeal was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD. 21221; Mr. Deward Hart, President, Victory Villa Improvement Assn., 21 Stabilizer Dr., Baltimore, MD. 21221; Phyllis Cole Friedman, People's Counsel for Baltimore County and Peter Max Zimmerman, Deputy People's Counsel, Room 223, Court House, Towson, Maryland 21204.

RECEIVED
SEP 30 1987

ZONING OFFICE

RE: PETITION FOR SPECIAL HEARING AND ZONING VARIANCE AND PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NE/Corner Orems & Compass Road 15th Election District 5th Councilmanic District
CLARENCE McNEAL, et ux, Petitioners

AMENDED NOTICE OF APPEAL

Goldentree Development Company, Appellant, by its attorneys, hereby limits the scope of its appeal from the order herein dated August 31, 1987, to that portion of the order granting a special exception for a trailer park, to the petition in Case No. 84-63-XA.

RECEIVED
SEP 30 1987

ZONING OFFICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd day of October, 1987, a copy of the foregoing Amended Notice of Appeal was mailed to Robert J. Romadka, Esquire and John B. Gontrum, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221; Mr. Deward Hart, President, Victory Villa Improvement Assn., 21 Stabilizer Dr., Baltimore, Md. 21221; Phyllis Cole Friedman, Peoples Counsel for Baltimore County and Peter Max Zimmerman, Deputy People's Counsel, Room 223, Court House, Towson, Maryland 21204.

Nancy E. Paige

IN RE: PETITION FOR SPECIAL HEARING AND ZONING VARIANCE AND PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NE/Corner Orems Road & Compass Road 15th Election District 5th Councilmanic District
Clarence McNeal, et ux, Petitioners

In Case No. 82-228-SPHA the Petitioners requested a special hearing to approve the non-conforming use of a trailer park at the above location and variances to permit trailers to be located within 0', 5' and 7' of the sides and rear property lines in lieu of the required 15', and to permit a minimum distance between trailers of 4' in lieu of the required 10'. In Case No. 84-63-XA the Petitioners requested a special exception for a mobile home park at the above location and variances to permit the use of 1.1 acres in lieu of the required 5 acres, a minimum area of 1,840 sq.ft. in lieu of the required 3,000 sq.ft. per trailer, minimum driveway widths of 15' and 18' in lieu of the required 30', a minimum distance between a trailer and Orems Road of 19' and a minimum distance between a service building or structure and Orems Road of 95' in lieu the required 100'; a minimum distance between a trailer of 1' and a service building of 70' in lieu of the required 75' from the property line; a minimum distance of 9' between trailers in lieu of the required 25'; and a minimum distance of 23' between trailers and a service building or structure in lieu of the required 25'.

Testimony, evidence and legal arguments presented in two extensive hearings were followed by lengthy memoranda in Case No. 82-228-SPHA. Two legal descriptions were filed with this case because the non-conforming issue applied to the front of the property and the variance requests were for the rear portion, which had been granted a special permit for a trailer camp in previous Case No. 2676-S, Order dated September 21, 1953. Subsequently, Counsel for the Petition-

ORDER RECEIVED FOR FILING
Dated 9/30/87
By [Signature]

ers, in conference with the Deputy Zoning Commissioner and Counsel for the Protestant, requested permission to submit petitions for a special exception and variances. Although Counsel for the Protestant did not concur with the request the Deputy Zoning Commissioner granted same, and Case No. 84-63-XA evolved. Counsel for the Petitioners further requested that Orders for both cases be written at the same time. In accordance with the legal description filed with the Petition, Case No. 84-63-XA requests a special exception and numerous variances for the front portion of the property.

In Case No. 82-228-SPH, testimony by and on behalf of the Petitioners indicated that the Petitioners were familiar with the subject property in the 1940's, moved onto the site in 1949 and purchased same in 1951. Prior to 1942, two trailers were located on the front portion of the site. Several witnesses spoke of an increased number of trailers in the 1950's. The Petitioners were unaware that the 1953 permit (approved in Case No. 2676-S) was for the rear portion of the property only. They developed both the front and the rear and obtained County permits for the entire site from 1975 to 1984. The property has been used continuously for a mobile home park. Testimony was presented regarding the changes in mobile homes and mobile home parks over the years; i.e., in the past trailers were much smaller (average size was 8' x 30'), were truly mobile, and usually lacked permanent utility hook-ups, pads, porches, etc. Currently, the average size of a mobile home is 14' x 70' and indeed, one cannot be purchased in a length less than 50'. As long-term tenants have replaced their homes with larger ones and more recent tenants have brought in newer models, the distances between units and between units and property lines have lessened. Those testifying were of the opinion that overcrowding and access for fire and other emergency vehicles were not problems. Moving the permanently improved homes would uproot long-term tenants, at least one over 20 years and a number

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over 10 years. Without the requested variances, 8 units would have to be removed from the rear permitted portion. There are virtually no available mobile home sites in Baltimore County. The variance requested along the east property line is next to a road utilized in common with the adjacent mobile home park as shown on the plan submitted, prepared by Frank S. Lee, dated 11/6/81 and identified as Petitioner's Exhibit 3.

The president of the Victory Villa Improvement Association identified himself as its spokesman and a protestant but the Association's corresponding secretary (for at least 15 years) testified the Association had not had a meeting in over a year and that the instant matter had not been raised.

The developer of the adjacent property to the west testified in protest and was represented by Counsel. Testimony on behalf of this Protestant indicated that four structures, which could not be identified specifically as dwellings, other buildings or trailers, were on the site in 1954 according to a January 4, 1954 aerial photo and the derived December 1954 photogrammetric drawing (Protestant's Exhibits 3 and 2). The structures were scaled as being approximately 20' x 20', 20' x 20', 20' x 30' and 25' x 45'. Assessment records from about December 1952 or January 1953 showed three dwellings and a garage on the property.

The Protestant, the managing partner of Goldentree Development Company, testified as to the proximity and characteristics of the Goldentree development and the visibility of the mobile homes and park from Goldentree. The developer installed an 8' fence in an effort to reduce that visibility. Compass Road was constructed as a part of the Goldentree subdivision. It is his opinion that the existing situation and the proposed variances will depreciate the values in his development. The mobile home park is overcrowded, provides no open space, and is not within the spirit and intent of the Baltimore County Zoning Regulations (BCZR). Compliance with the required setbacks and the required distance between

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units would improve the appearance of the park and relieve overcrowding.

Within the Zoning Plans Advisory Committee comments the Director of Planning and Zoning, in a memo dated April 6, 1982, expressed concern with the safety aspects identified by the Fire Department in its correspondence dated February 24 and March 30, 1982, addressing the separation between mobile homes and the distance from any property line abutting a public road. The Current Planning office, by memo dated March 25, 1982, suggested effective screening along the Compass Road side.

At the beginning of the hearing on Case No. 84-63-XA all documents from Case No. 82-228-SPH, except the memoranda, were entered as Petitioner's Exhibit 1. This case relates only to the front portion of the property.

Testimony on behalf of the Petitioner by his engineer indicated that spaces for 13 mobile homes and an existing dwelling were on the 1.1 acre front portion of the property as shown on the plan submitted, prepared by Frank S. Lee revised 5/26/83, and identified as Petitioner's Exhibit 2. The narrowest part of the internal roads or driveways are the 18' width in the bend of Mirgo Lane and the 20' width of Mecca Lane. The 15' driveway width requested is the Petitioner's half of a roadway shared with the mobile home park to the east. The engineer determined the lot size by strictly averaging, i.e., splitting the distance between mobile homes. Sheds, some of which may be larger than 100 sq.ft., were not shown on Petitioner's Exhibit 2. Through the years, Baltimore County has taken 10 feet off of the frontage of the property for widening Orens Road. Without the requested variances, only two mobile homes of a small size could be located on the front portion of the property.

The Petitioner testified that the mobile homes in the park have concrete pads with water and sewer hookups and electric meters. He considers that 2 feet on the side of the mobile home with hookups is part of the lot for that home and

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that on the other side (front) the lot extends to a distance of 2 feet from the next unit. He has no specific definition of the limits of lots from the end of one unit to the end of another. He has guidelines and must approve the skirts, porches, decks, etc. added to most units. Specific information on each lot was given, including but not limited to, size and age of mobile home, name of resident and length of tenancy, direction the unit faces, where the resident parks, sheds, porches, awnings, etc. Two of the spaces on the front portion and one space on the west rear portion are vacant. There are, however, three units located on the rear portion not shown on Petitioner's Exhibit 2: one north of Mecca Lane between the office and the 12' x 57' unit, one south of and parallel to Pecan Lane, and one southwest of the Palm/Ortega intersection. There are 39 mobile home units currently on site. Several long-term residents of the mobile home park testified. Among their statements were: one unit was 25 years old; another expected her unit to last a lifetime; the front portion of the site had been utilized by approximately the same number of mobile homes for over 20 years; at least five cars can park in a paved parking area in the center of the front portion.

The Protestant, the partner of Goldentree, testified that his surveyor has determined that three to four of the mobile homes were over the property line. Those units were subsequently moved so that they were wholly on the Petitioners' property. He would not be opposed to the granting of the special exception nor to the variances requested for utilization of only 1.1 acres for this portion of the park, the location of the permanent structure, or the 15' driveway, so long as the driveway was paved and used in common with the driveway of the adjacent mobile home park. He is of the opinion that a variance of some amount of the required 75' setback from the property line to a unit could be appropriate in the instant case, but that the other requested variances are not within the spirit and intent of the BCZR. In his opinion, the other variances,

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PETITION FOR SPECIAL EXCEPTION 84-63-XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 9/30/87

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a mobile home park.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

| | |
|------------------------------------|---|
| Contract Purchaser: | Legal Owner(s): |
| (Type or Print Name) | Clarence McNeal |
| Signature | <i>Clarence McNeal</i> |
| Address | Irene McNeal |
| City and State | <i>Irene McNeal</i> |
| Attorney for Petitioner: | |
| Robert J. Romadka-John B. Gontrum | 810 Orens Road |
| (Type or Print Name) | Address |
| Signature | <i>Robert J. Romadka</i> |
| 809 Eastern Boulevard | Baltimore, Maryland 21221 |
| Address | City and State |
| Baltimore, Maryland 21221 | Name, address and phone number of legal owner, contract purchaser or representative to be contacted |
| City and State | John B. Gontrum, Esquire |
| Attorney's Telephone No.: 686-8274 | Name |
| | 809 Eastern Boulevard 686-8274 |
| | Address |

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of July, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of August, 1983, at 10:30 o'clock A.M.

Carl John
Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1
MICROFILMED

(over)

if granted, would be detrimental to his development and the neighborhood by their encroachment on adjacent property and the road and by their lack of provision for open space. In addition, he is concerned with public safety that could be better addressed if internal roads were wider and units were separated in accordance with the regulations. He mentioned also that recreational vehicles added to the park congestion.

The Deputy Zoning Commissioner has reviewed all evidence and testimony and, in her deliberations, has made particular note of two items: 1) much of the Petitioner's hardships are of his own making; and 2) the attachment of the long-term residents to their permanent home spaces in the McNeal Trailer Park.

Pursuant to the advertisement, posting of property, and public hearing held in Case No. 82-228-SPH, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requested special hearing would not be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would be detrimental to the health, safety and general welfare of the community. By reason of the burden of proof not having been met, the requested non-conforming use of a trailer park should not be granted. However, strict compliance with the BCZR would result in practical difficulty and unreasonable hardship upon the Petitioners where the variances are concerned. The variances requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 31st day of August, 1987, that variances to permit trailers to be located within 0' from the west property line, 5' from the east property line, and 7' from the rear property line in lieu of the required 15', and to permit a minimum distance between trailers of 4' in one instance, 5' in another instance,

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5.6' in another instance, 7' in two cases and 9' in one case in lieu of the required 10', all in accordance with Petitioner's Exhibit 3, be and are hereby GRANTED, subject to the following restriction:

When the existing resident(s) and/or the existing mobile home from any space relocates to another space or vacates the mobile home park, the existing mobile home being relocated or any new home being established must be placed a minimum of 15' from the west and rear property lines, and 10' from the east property line, and with a minimum distance of 10' between each mobile home.

IT IS FURTHER ORDERED by the Deputy Zoning Commissioner that the request for a special hearing to approve the non-conforming use of a trailer park at the herein described location be and is hereby DENIED.

Pursuant to the advertisement, posting of property and public hearing held in Case No. 84-63-XA, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty or unreasonable hardship upon the petitioner. The requirements of Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected. Therefore, the requested special exception and variances should be granted.

Therefore, IT IS ORDERED that a special exception for a mobile home park at the herein described location, in accordance with Petitioner's Exhibit 2, be approved, and that variances to permit the use of 1.1 acres in lieu of the required 5 acres; a minimum lot size area of 1,840 sq.ft. and others under 3,000 sq.ft. in lieu of the required 3,000 sq.ft. per trailer; minimum driveway widths of 15' and 18' in lieu of the required 30'; a minimum distance of 19' for one mobile home to the road and less than the required distance for seven other mobile homes in lieu of the required 100' and a minimum distance of 95' from the permanent structure to the road and 70' from that structure to the property line in lieu the required 100'; a minimum distance of 1' from two mobile homes to the property line and less than the required distance for eight other mobile homes,

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in lieu of the required 75'; a minimum distance of 9' between mobile homes in one instance and less than the required distance for nine other mobile homes in lieu of the required 25'; and a minimum distance of 23' between a mobile home and a service building in lieu of the required 25', be and are hereby GRANTED, subject, however, to the following restriction:

When the existing resident(s) and/or the existing mobile home from any space relocates or vacates the mobile home park, the existing mobile home to be relocated or any new home to be established must be placed with a minimum lot size of 2,000 sq.ft., a minimum distance of 25' between mobile homes, and 25' from any property line or road.

In addition to the restrictions listed above relative to specific requests, the following conditions must also be met:

- 1) At no time shall more than 39 mobile homes be located on the whole site, both front and rear portions.
- 2) Within 120 days from the final order in these cases, a revised plan, scale 1" = 20' or larger, shall be submitted to this office indicating, in addition to the usual information shown on the Petitioner's Exhibits 3 and 2 referred to above, all roads, parking spaces and areas, sheds, accessory buildings, porches, decks, additions, etc. Each mobile home shall be numbered on the plan and supplemental information for each shall be provided: photograph, size of home, age of home, name of resident, location of parking.
- 3) Internal roads shall be paved and parking for recreational vehicles shall be approved by the Office of Zoning in accordance with current regulations.
- 4) Screening along the entire western property line shall be provided as well as landscaping along Orens Road. Both shall be approved by the Office of Current Planning.

John M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

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ORDER RECEIVED FOR FILING
Date 9/30/87
By *Robert J. Romadka*

MICROFILMED

84-63-XA PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 414.1 - 1.1 acre in lieu of required 5 acres; 414.2 - a minimum area of 1840 square feet in lieu of the required 3000 square feet per trailer; 414.3 - to permit minimum driveway widths of 15' and 18' in lieu of required 30' and 414.4 - to allow minimum distance between trailer and the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

to obtain optimum park design configuration within existing park outlines

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
 (Type or Print Name) Clarence McNeal
 Signature *Clarence McNeal*
 Address Irene McNeal
 (Type or Print Name)
 Signature *Irene McNeal*
 City and State

Attorney for Petitioner:
 Robert J. Romadka-John B. Gontrum 810 Oremas Road 687-4038
 (Type or Print Name) Address Phone No.
 Signature *Robert J. Romadka* Baltimore, Maryland 21221
 City and State
 809 Eastern Boulevard Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 Address John B. Gontrum, Esquire
 Baltimore, Maryland 21221 Name
 City and State
 Attorney's Telephone No.: 686-8274 809 Eastern Boulevard 686-8274
 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day

of July, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of August, 1983, at 10:30 o'clock A.M.

(over) Zoning Commissioner of Baltimore County.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15 Date of Posting 8/15/83
 Posted for: Robert J. Romadka, Esquire, Special Acquisition
 Petitioner: Clarence McNeal, et ux
 Location of property: 810 Oremas Road, E. Compass Rd.
 Location of Sign: 810 Oremas Road, E. Compass Rd.
 Remarks: 2. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 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2012. 2013. 2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024.



BALTIMORE COUNTY
DEPARTMENT OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3900

TEO FAENEN, JR.
DIRECTOR
Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

April 2, 1983

Dear Mr. Hammond:
Comments on Item # 199 Zoning Advisory Committee Meeting April 5, 1983
are as follows:
Property Owner: Clarence & Irene McNeal
Location: NE/Cor. Crems and Compass Roads
Existing Zoning: R.U. 3-5
Proposed Zoning: See reverse side.

Acres: 1
District: 15th

The items checked below are applicable:

✓ A. All structures shall conform to the Baltimore County Building Code 1981/
Commut Bill 1-82 State of Maryland Code for the Handicapped and Aged
and other applicable codes.

✓ B. A building and other miscellaneous permits shall be required before beginning ANY
construction.

C. Residential: Three sets of construction drawings are required to file a permit
application. Architect/Engineer seal is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered
Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour
fire resistive construction, no openings permitted within 3'0" of lot lines. A
firewall is required if construction is on the lot line. See Table 101, line 3,
Section 1007 and Table 1102.

F. Requested variance conflicts with the Baltimore County Building Code,
Section/s _____.

G. A change of occupancy shall be applied for, along with an alteration permit
application, and three required sets of drawings indicating how the structure
will meet the Code requirements for the proposed change. Drawings may require
a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru
the services of a Registered in Maryland Architect or Engineer certify to this
office, that the structure for which a proposed change in use is proposed can
comply with the height/area requirements of Table 505 and the required construction
classification of Table 101.

✓ I. Comments: As the building Code no longer deals with trailer or mobile home set-
backs, but with structures only, the concern of this Department is that a build-
ing not be located closer to another building or structure than is permitted in
Table 101, Line 1, unless the walls are protected according to the type of con-
struction. Home owners' responsibility on the information provided by the drawings
submitted to the office of Planning and Zoning and are not intended to be
controlled as the full extent of any permit. Property lines or new
be constructed as the full extent of any permit. Other
if desired, additional information may be obtained by visiting Room 419 construction. Other
(Please Review) at 11 West Chesapeake Ave., 21204 setbacks are controlled by Fire
Prevention.

Very truly yours,
Charles E. Surman
Charles E. Surman, Chief
Plan Review

CSH:rrj
FORM 01-82

Proposed Zoning: Special Use
in lieu of the required 5 acres, a minimum area of 1200 sq. ft. in lieu of the
required 3000 sq. ft., to permit minimum driveway widths of 15' and 18' in lieu
of the required 30', to allow minimum distance between trailer & service build-
ing or structure of 19' and 95' in lieu of the required 100' from Crems Road and
70' in lieu of the required 75' from other boundaries, to allow minimum distance
of 9' between trailers in lieu of the required 25' and to allow a minimum
distance of 25' between trailers and service building or structure in lieu of
the required 25'.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: April 5, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: April 5, 1983

RE: Item No: 198, 199, 200, 201, 202, 203, 204, 205

Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no adverse effect on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

February 8, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #126 (1981-1982)
Property Owner: Clarence and Irene McNeal
N/2 corner Crems and Compass Roads
District: 15th Acres: 3

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this
office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Crems Road, an existing County road (formerly a State Road, Md. 493) is proposed
to be further improved in the future as a 40-foot closed section roadway on a 60-foot
right-of-way with an additional filllet area for sight distance at the Compass Road
intersection.

The entrance locations are subject to approval by the Department of Traffic
Engineering, and shall be constructed in accordance with Baltimore County Standards
and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could
result in a sediment pollution problem, damaging private and public holdings downstream
of the property. A grading permit is, therefore, necessary for all grading, including
the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on
the submitted plan.

In accordance with the drainage policy, the Petitioner is responsible for the
total actual cost of drainage facilities required to carry the storm water run-off
through the property to be developed to a suitable outfall.

Item #126 (1981-1982)
Property Owner: Clarence and Irene McNeal
Page 2
February 8, 1982

Storm Drains: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent)
to prevent creating any nuisances or damages to adjacent properties, especially by the
concentration of surface waters. Correction of any problem which may result, due to
improper grading or improper installation of drainage facilities, would be the full
responsibility of the Petitioner.

Water and Sanitary Sewer:

There are public 12 and 36-inch water mains and 30-inch public sanitary sewerage
in Crems Road.

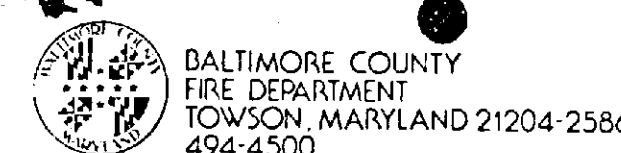
Very truly yours,
(SIGNED) ROBERT A. MORTON

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:GAM:FW:rs

cc: Jack Wimbley

I-WM Key Sheet
12 & 13 NE 29 Pos. Sheets
NE 3 & 4 H Topo
90 Tax Map



BALTIMORE COUNTY
PLANNING & ZONING DEPARTMENT
TOWSON, MARYLAND 21204 2586
494-4500

PAUL H. REINCKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Clarence & Irene McNeal

Location: NE/Cor. Crems and Compass Roads

Item No.: 199

Zoning Agenda: Meeting of April 5, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this
Bureau and the comments below marked with an "X" are applicable and required
to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be
located at intervals or _____ feet along an approved road, in
accordance with Baltimore County Standards as published by the
Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

(x) 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operation.
SEE ATTACHMENT

() 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Protection
Association Standard No. 101 "Life Safety Code", 1976 Edition prior
to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *Paul H. Reincke* *George M. McNeal*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

Property Owner: Clarence & Irene McNeal
Location: NE/Cor. Crems and Compass Roads
Item No.: 199

Date: July 7, 1983

4. Additional mobile homes shall not be located closer than 15
feet from any other mobile home or permanent building.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

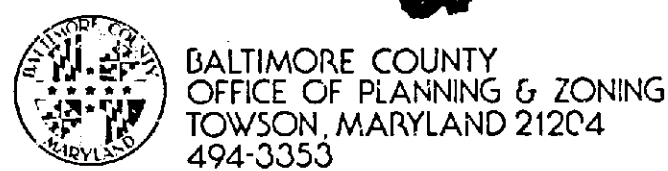
Arnold Jablon
To Zoning Commissioner _____ Date: August 16, 1983
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 84-63-XA
SUBJECT: Clarence McNeal, etux

This office's position is one of particular concern with the safety as related to
the distance between trailers. No variance should be granted that would not satis-
factorily meet the requirements of the Fire Department.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Hess



ARNOLD JABLON
Zoning Commissioner

March 26, 1984

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Exception
and Variances
NE/corner Orens and Compass Rds.
15th Election District
Clarence McNeal, et ux - Petitioners
NO. 84-63-XA (Item No. 199)

Dear Mr. Romadka:

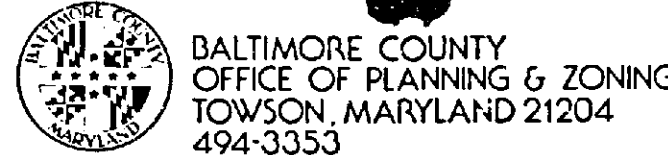
AS a part of my deliberation, I requested that a member of the zoning staff determine the minimum square footage for each trailer lot according to the method described by Frank Lee. That staff member's figures indicate a 1,648 square foot lot for the 48' x 12' trailer at the northwest corner of the site and a 1,782 square foot lot for the 38' x 10' trailer on Mecca Lane. Please have Mr. Lee mark off and indicate the square footage of all lots and send a marked copy of the May 26, 1983 plan both to me and to Mrs. Paige.

Very truly yours,

JEAN M.H. JUNG
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

cc: Nancy Paige, Esquire
Gordon Feinblatt, et al
Garrett Building
233 East Redwood Street
Baltimore, Maryland 21202



ARNOLD JABLON
Zoning Commissioner

February 16, 1984

John B. Gontrum, Esquire
809 Eastern Boulevard
F-sex, Maryland 21221

Re: Continued Hearing
Clarence McNeal, et ux - Petitioners
Case No. 84-63-XA

Dear Mr. Gontrum:

This is to notify you that the continued hearing date for the above captioned matter will be Tuesday, March 20, 1984 at 10:30 A.M. If there are any questions, please advise.

Very truly yours,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:aj

cc: Nancy Paige, Esquire
Garrett Building
233 East Redwood Street
Baltimore, Maryland 21202

Rutherford Oliver Diehl
124 Compass Road
Baltimore, Maryland 21220

Golden Tree Development Company
P. O. Box 5890
Baltimore, Maryland 21208

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

September 28, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petitions for Special Hearing and Zoning Variance;
Petitions for Special Exception and Zoning Variance
NE/corner Orens and Compass Roads
15th Election District; 5th Councilmanic District
Clarence McNeal, et ux - Petitioners
Case Nos. 82-228-SPHA and 84-63-XA

Dear Board:

Please be advised that the subject cases were appealed on September 24, 1987 by the People's Counsel for Baltimore County. All materials relative to same are being forwarded herewith.

Please notify all parties to the case of the appeal hearing date and time when it has been scheduled. If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs

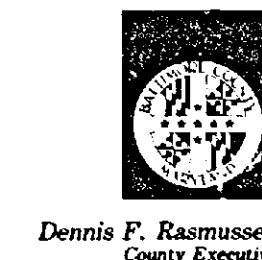
cc: Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Boulevard, Baltimore, Md. 21221

Nancy E. Paige, Esquire, Attorney for Protestants
Gordon, Feinblatt, Rothman, Hoffberger & Hollander
Garrett Building, 233 E. Redwood Street, Baltimore, Md. 21202

Mr. Deward Hart, President
Victory Villa Improvement Association
21 Stabilizer Drive, Baltimore, Md. 21221

Phyllis Cole Friedman, Esquire
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Md. 21204

File



Dennis F. Rasmussen
County Executive

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE AND :
PETITION FOR SPECIAL EXCEPTION : OF BALTIMORE COUNTY
PETITION FOR VARIANCE :
NE Corner Orens & Compass Rd. :
15th Election District :
5th Councilmanic District :
CLARENCE McNEAL, et ux, : Case No. 82-228-SPHA and
Petitioners : 84-63-XA
ZONING OFFICE
SEP 24 1987
NOTICE OF APPEAL

Please note an appeal from the decision of the Deputy Zoning Commissioner in the above-captioned matter, under date of August 31, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of September, 1987, a copy of the foregoing Notice of Appeal was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221; Nancy E. Paige, Esquire, Gordon, Feinblatt, Rothman, Hoffberger & Hollander, Garrett Building, 233 E. Redwood St., Baltimore, MD 21202; and Mr. Deward Hart, President, Victory Villa Improvement Assn., 21 Stabilizer Dr., Baltimore, MD 21221.

Peter Max Zimmerman
Peter Max Zimmerman

APPEAL

Petitions for Special Hearing and Zoning Variance;
Petitions for Special Exception and Zoning Variance;
NE/corner Orens and Compass Roads
15th Election District - 5th Councilmanic District
Clarence McNeal, et ux - Petitioners
Case Nos. 82-228-SPHA and 84-63-XA

Petitions for Special Hearing and Zoning Variance (Case No. 82-228-SPHA)

Petitions for Special Exception and Zoning Variance (Case No. 84-63-XA)

Descriptions of Property dated 11/6/81 and 12/14/82 (Case Nos. 82-228-SPHA and 84-63-XA)

Certificates of Posting (both cases)

Certificates of Publication (both cases)

Entry of Appearance of People's Counsel (both cases)

Zoning Plans Advisory Committee Comments and Director of Planning & Zoning Comments (both cases)

Petitioner's Exhibits: 1) A March 1950 plan from earlier Case No. 26765 (Case No. 82-228-SPHA)

2) Plan of Trailer Lots dated 7/2/75

3) Plan dated 11/6/81

4) Color Photographs #4A - #4I

5) Marked 11/6/81 plan

(Two Exhibits) 6) Estimate for Planting dated 1/14/82 and List of Persons attending 6/16/82 Hearing

7) Color Photographs #7A - #7N

8) Xeroxed copy of deed dated 2/25/50

9) Two water and sewer drawings

Petitioner's Brief and Statement of Facts dated 12/20/82

Protestant's Exhibits: 1) Aerial Photograph of Property (Case No. 82-228-SPHA)

2) December 1954 Photogrammetric Map (missing from file)

3) Aerial Photograph dated 1/4/54

4) Photogrammetric Map dated 12/54

5a - 5d) Copies of Property Assessments

6) Two Aerial Photographs dated 1/8/54 relative to Exhibit 4

MICROFILMED

7) Plat of Goldentree Section III

8) Color Photograph

Correspondence dated 4/14/82 and 6/17/82 from Congressman Long on behalf of constituents concerned about project in Case No. 82-228-SPHA

Correspondence dated 6/28/82 from Senator Sarbanes on behalf of a constituent concerned about project in Case No. 82-228-SPHA

Protestant's Post-Hearing Memorandum for Case No. 82-228-SPHA dated 1/18/83

Petitioner's Exhibits: 1) Documents from Case No. 82-228-SPHA (missing from file)

2) Plan dated 5/26/83

3) 5/26/83 Plan marked to setbacks required

4) List of Persons in Attendance at Hearing

No Protestant's Exhibits Submitted in Case No. 84-63-XA

Deputy Zoning Commissioner's Combination Order dated August 31, 1987

Notice of Appeal received September 26, 1987 from People's Counsel for Baltimore County

Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

Nancy E. Paige, Esquire, Attorney for Protestants
Gordon, Feinblatt, Rothman, Hoffberger & Hollander
Garrett Building, 233 E. Redwood Street
Baltimore, Maryland 21202

Mr. Deward Hart, President
Victory Villa Improvement Association
21 Stabilizer Drive, Baltimore, Md. 21221

Phyllis Friedman, Esquire
People's Counsel of Baltimore County
Rm. 223, Old Courthouse
Towson, Maryland 21204

Request Notification: Norman E. Gerber, Director of Planning
James Howell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Margaret E. Dyer, Docket Clerk

MICROFILMED

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

October 7, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petitions for Special Hearing and Zoning Variance;
Petitions for Special Exception and Zoning Variance
NE/corner Orens and Compass Roads
15th Election District; 5th Councilmanic District
Clarence McNeal, et ux - Petitioners
Case Nos. 82-228-SPHA and 84-63-XA

Dear Board:

Please be advised that an appeal of the decision rendered in the above-referenced matter, with respect to the special exception granted in Case No. 84-63-XA, was filed on September 30, 1987 by Nancy E. Paige, Esquire, attorney for the Protestants. All materials relative to the case have been previously forwarded to your office in accordance with an earlier appeal filed in the same matter.

Again, please notify all parties to the case of the appeal hearing date and time when it has been scheduled. If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs

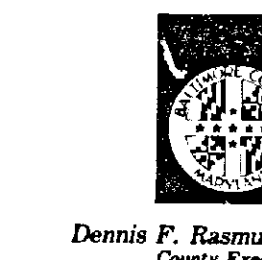
cc: Nancy E. Paige, Esquire, Attorney for Protestants
Gordon, Feinblatt, Rothman, Hoffberger & Hollander
Garrett Building, 233 E. Redwood Street, Baltimore, Md. 21202

Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Boulevard, Baltimore, Md. 21221

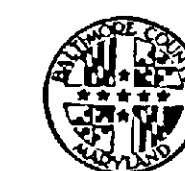
Mr. Deward Hart, President
Victory Villa Improvement Association
21 Stabilizer Drive, Baltimore, Md. 21221

Phyllis Cole Friedman, Esquire
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Md. 21204

File



Dennis F. Rasmussen
County Executive



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 19, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79.

CASE NO. 82-228-SPHA & 84-63-XA

CLARENCE McNEAL, ET UX

NE/cor. Orens and Compass Rds.

15th Election District

SPH-Trailer Park

Var.-Distances

SE-Mobile home park

Var.-Driveway widths

ASSIGNED FOR:

CC: Clarence McNeal, et ux

TUESDAY, FEBRUARY 16, 1988, at 10 a.m.

Petitioner

Robert J. Romadka, Esq.

Counsel for Petitioner

John B. Gontrum, Esq.

Counsel for Protestants

Nancy E. Paige

People's Counsel

Deward Hart

Phyllis Friedman

Norman Gerber

James Howell

J. Robert Haines

Ann Nastarowicz

James E. Dyer

Margaret duBois

June Holmen, Secy.

RECEIVED
OCT 20 1987

ZONING OFFICE



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

October 19, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 82-228-SPHA & 84-63-XA

CLARENCE McNEAL, ET UX

NE/cor. Orens and Compass Rds.

15th Election District

SPH-Trailer Park

Variances - Distances

SE-Mobile Home Park

Var.- Driveway widths

ASSIGNED FOR: TUESDAY, FEBRUARY 16, 1988, at 10 a.m.

cc: Clarence McNeal, et ux Petitioner

Robert J. Romadka, Esq. Counsel for Petitioner

John B. Gontrum, Esq. Counsel for Protestants/Appellants

Nancy E. Paige Counsel for Protestants/Appellants

Deward Hart

Phyllis Friedman

People's Counsel/- w/d Appeal 12/10/87

Norman Gerber

James Howell

J. Robert Haines

Ann Nastarowicz

James Dyer

Margaret duBois

June Holmen, Secy.



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

December 14, 1987

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 82-228-SPHA and 84-63-XA

CLARENCE McNEAL, ET UX

NE/cor. Orens and Compass Roads

15th Election District

5th Councilmanic District

SPH - Trailer Park

Variances - Distances

SE-Mobile Home Park

8/31/87 - D.Z.C. DENIED SPH; GRANTED SE and Variances w/restrictions.

The above case, which had been set for hearing on Tuesday, February 16, 1988 has been POSTPONED at the request of Counsel for Petitioner and with agreement of Counsel for Protestants. This case will be rescheduled for hearing sometime after April 12, 1988 as requested by Counsel for Petitioner.

cc: Clarence McNeal, et ux

Petitioner/Appellee

Robert J. Romadka, Esquire

Counsel for Petitioner

John B. Gontrum, Esquire

" " "

Nancy E. Paige, Esquire

Counsel for Protestants/Appellants

Deward Hart

Phyllis C. Friedman

People's Counsel for Baltimore County

Norman E. Gerber

James G. Howell

J. Robert Haines

Ann M. Nastarowicz

James E. Dyer

Robyn Clark

Arnold Jablon, County Attorney

Kathi Weidenhamer
Administrative Secretary



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

January 20, 1988

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 82-228-SPHA and 84-63-XA

CLARENCE McNEAL, ET UX

NE/cor. Orens and Compass Rds.

15th E. Dist; 5th C. Dist.

SPH-Trailer Park

Variances - Distances

SE-Mobile Home Park

8/31/87 - D.Z.C. DENIED SPH; GRANTED SE and Variances, w/restrictions.

THURSDAY, APRIL 14, 1988 at 10 a.m.

ASSIGNED FOR:

cc: Clarence McNeal, et ux

Petitioner

Robert J. Romadka, Esq.

Counsel for Petitioner

John B. Gontrum, Esq.

" " "

Nancy E. Paige, Esq.

Counsel for Protestants

Deward Hart

David Fields

Office of Planning

James Howell

" " "

J. Robert Haines

Zoning Office

Ann Nastarowicz

" " "

James E. Dyer

" " "

Docket Clerk

" " "

Jun Fernando

" " "

June Holmen, Secy.

MICROFILMED



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

January 20, 1988

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 82-228-SPHA and 84-63-XA

CLARENCE McNEAL, ET UX

NE/cor. Orens and Compass Rds.

15th E. Dist; 5th C. Dist.

SPH-Trailer Park

Variances - Distances

SE-Mobile Home Park

8/31/87 - D.Z.C. DENIED SPH; GRANTED SE and Variances, w/restrictions.

ASSIGNED FOR:

cc: Clarence McNeal, et ux

THURSDAY, APRIL 14, 1988 at 10 a.m.

Robert J. Romadka, Esq.

Counsel for Petitioner

John B. Gontrum, Esq.

" " "

Nancy E. Paige, Esq.

Counsel for Protestants

Deward Hart

David Fields

Office of Planning

James Howell

" " "

J. Robert Haines

Zoning Office

Ann Nastarowicz

" " "

James E. Dyer

" " "

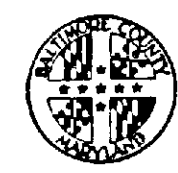
Docket Clerk

" " "

Jun Fernando

" " "

June Holmen, Secy.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 16, 1992

John B. Gontrum, Esquire
ROMADKA, GONTRUM & McLAUGHLIN
814 Eastern Boulevard
Baltimore, MD 21221

Nancy E. Paige, Esquire
GORDON, FEINELATT, ROTHMAN,
HOFFBERGER & HOLLANDER
Garrett Building
233 E. Redwood Street
Baltimore, MD 21202

Phyllis C. Friedman, People's Counsel
for Baltimore County
Room 47, Old Courthouse
Towson, MD 21204

RE: Case No. 82-228-SPHA and
Case No. 84-63-XA
CLARENCE McNEAL, et ux

Dear Counsel:

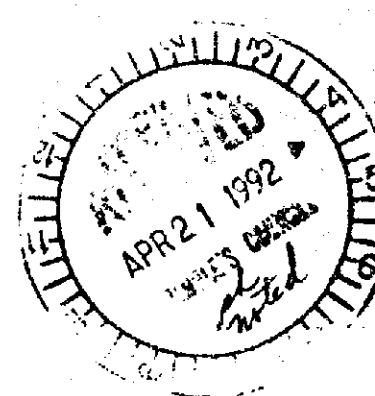
The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismis as many of these cases as possible.

Pursuant to the above intent, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. On Motion filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

WTH/KCW



10/19/87 - Following notified of hear. set for Tues. Feb. 16, 1988, at 10 a.m.:

Clarence McNeal, et ux
R. Romadka
J. Gontrum
Nancy Paige
Deward Hart
P. Friedman
N. Gerber, J. Howell
J. R. Haines, A. Nastarowicz
J. Dyer, M. duBois

12/10/87 -Appeal withdrawn by People's Counsel.

12/14/87 -Notice of Postponement sent to above; no date set yet; will be rescheduled sometime after 4/12/88 per request of Counsel for Petitioner. (Postponement requested by Counsel for Petitioner 11/11/87).

1/20/88 - Above notified of hearing set for Thurs. April 14, 1988, at 10 a.m.

4/14/88 -Postponed in open hearing; no reset date at this time; settlement likely. NOTE: If nothing is heard from counsel in six months, reset for hearing at that time per WTH.

4/16/92 -Letter to J. B. Gontrum, Esquire; Nancy Paige, Esquire; and People's Counsel: /forthcoming Order of Dismissal for lack of prosecution; 30 days allowed for response.

4/21/92 -S. Hess confirmed People's Counsel's withdrawal of their appeal 12/10/87; appeal still pending /filed by N. Paige.

5/14/92 -T/C from John Gontrum; HOLD for two weeks; in process of sale; will then advise Board re dismissal of appeal by N. Paige.

8/17/93 -Letter from Board to parties; to be dismissed on or about 10/15/93 unless otherwise requested by either party.

T/C response from J. Gontrum --to follow up with letter.

10/26/93 -Ltr dtd 10/19/93 from J. Gontrum, Esquire --agreement reached with Appellants; site plan ordered for submission to Board; requests additional 45 days to resolve matters.

4/20/93 -Letter from J. Gontrum regarding request for modification of Deputy Z.C. Jung's Order of 1987. (Letter addressed to W. Hackett per t/c, advised that this matter was still on hold pending finalization of agreement)

10/12/93 -Received Motion for dismissal of appeal from N. Paige on behalf of Appellants / Protestants. T/C to J. Gontrum regarding status of violation case which led to this matter (J. Gontrum was appellant's counsel in violation matter). To advise and then withdraw that appeal if necessary.

10/28/93 -T/C w/J. Gontrum re status of matter. He advised me that all related cases (3), including violation appeal, could be dismissed via Ms. Paige's dismissal. Tc issue Order of Dismissal.

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES
NE Corner of Orens & Compass Rds.,
15th District : OF BALTIMORE COUNTY

CLARENCE McNEAL, et ux, Petitioners: Case No. 84-63-XA (Item 199)

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524, I of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify

me of any hearing date or dates which may be now or hereafter designated therefor,

and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 8th day of August, 1983, a copy of the foregoing

Order was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809

Eastern Boulevard, Baltimore, MD 21221, Attorneys for Petitioners.

John W. Hession, III
John W. Hession, III

IN RE: CLARENCE McNEAL, et ux * COUNTY BOARD OF APPEALS
* FOR BALTIMORE COUNTY
* CASE NO. 82-228-SPHA
84-63-XA

SUBPOENA

Please issue a Subpoena for the following:

Captain Joseph Kelly
Fire Department Plans Review
111 West Chesapeake Avenue
Room 120
Towson, Maryland 21204

Returnable Thursday, April 14, 1988 at 10:00 a.m.

County Board of Appeals for Baltimore County, Room 200, Court
House, Towson, Maryland 21204.

John B. Gontrum, Esquire
Romadka, Gontrum & Hennegan
809 Eastern Boulevard
Essex, Maryland 21221
686-8274

LAW FIRM
ROMADKA,
GONTRUM
& HENNEGAN
ESSEX, MARYLAND

RECEIVED
COUNTY BOARD OF APPEALS
1988 APR -8 P 3 45

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management
DATE: December 9, 1996

FROM: Kathleen C. Bianco, Clerk
County Board of Appeals

SUBJECT: Closed Files Case No. 82-228-SPHA
Case No. 84-63-XA and
Case No. 81-282-V
Clarence McNeal, et ux

As no further action has been taken since the Board's October 30, 1996 dismissal of the subject appeals, we are closing the files and returning same to you herewith.

Attachment

LAW FIRM
Romadka, Gontrom & McLaughlin
INVINCION FEDERAL BUILDING
808 EASTERN BOULEVARD
Baltimore, Maryland 21221
TELEPHONE (410) 686-8274
FAX (410) 686-0118

ROBERT J. ROMADKA
JOHN B. GONTROM
J. MICHAEL McLAUGHLIN, JR.
DONALD E. BRAND
DONALD E. SHEPPE
JEAN E. TULLY

November 11, 1987

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204

Re: Case No. 82-228-SPHA & 84-63-XA
Clarence McNeal, et ux

Dear Sir:

Please be advised that the above matter has been scheduled for a hearing on Tuesday, February 16, 1988 at 10:00 a.m. Please be advised that Mr. Robert Romadka will be out of town from January 12 through April 12 and therefore, I would request that you reschedule this matter some time after April 12th.

Thank you for your anticipated cooperation in this matter.

Very truly yours,

J.B. Gontrom
John B. Gontrom

JBG:kb
cc: Phyllis Friedman
Nancy E. Paige

516-4244

ROMADKA, GONTROM & McLAUGHLIN, P.A.

814 Eastern Boulevard
Baltimore, Maryland 21221
TELEPHONE: (410) 686-8274
FAX: 686-0118

ROBERT J. ROMADKA
JOHN B. GONTROM
J. MICHAEL McLAUGHLIN, JR.
ELIZABETH A. YANNI

October 19, 1993

*ALSO ADMITTED IN D.C.

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Ave.
Towson, MD 21204

Attn: William T. Hackett
Chairman

Re: Case No.: 82-228-SPHA
84-63-XA
Clarence McNeal, et ux
Case No.: 81-282-V
Clarence McNeal, Sr.
RGM File No.: 11.3056

Dear Chairman Hackett:

We appreciate your indulgence in holding the McNeal file open per our discussion of the other week. We have entered into an agreement with the appellants in the subject matter with respect to the case, and have ordered a site plan to be prepared for filing in the Boards case. We would appreciate your holding the case open for an additional 45 days in order that this matter may be brought to completion.

Thank you for your indulgence.

Very truly yours,

J.B. Gontrom
John B. Gontrom

JBG/bjb

cc: Mr. & Mrs. Clarence McNeal

William T. Hackett, Chairman - Board of Appeals
April 20, 1995
Page 2

There are substantial costs involved with what Ms. Jung had in mind on locating these particular units. Estimates for having this work done have ranged into many thousands of dollars.

My clients have requested me to ask you to see if something can be done to simply modify Ms. Jung's Order to waive the requirements of site plans, addresses and photo requirements as contained in page 7 and 8 of her Order and to modify the restriction contained on page 7 with respect to a 15' set back from the west and rear property lines.

My clients informed me that they are in total compliance with the restriction on the special exception contained on page 8 indicating a 25' set back between mobile homes, and they currently have no more than 34 mobile homes located on the site. It is restriction 2 on page 8 and the restriction placed on set backs on page 7 that are creating the difficulty and have kept this appeal going for so long. Goldentree Development no longer has any interest with respect to this matter and has agreed that they will not oppose any of the requests that we have with respect to modification of the restrictions.

I look forward to your advice on how to best handle this matter.

Very truly yours,

J.B. Gontrom
John B. Gontrom

JBG/bjb
Enclosures

cc: McNeal Trailer Park

ROMADKA, GONTROM & McLAUGHLIN, P.A.

814 Eastern Boulevard
Baltimore, Maryland 21221
TELEPHONE: (410) 686-8274
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ROBERT J. ROMADKA
JOHN B. GONTROM
J. MICHAEL McLAUGHLIN, JR.
ELIZABETH A. YANNI

*ALSO ADMITTED IN D.C.

Chairman, William T. Hackett
Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Ave.
Towson, MD 21204

Re: Case No's: 82-228 SPHA
84-63 - XA
McNeals Trailer Park
RGM File No.: 95.3011

Dear Chairman Hackett:

I am writing to you with respect to the above referenced cases which have been on appeal before the Board of Appeals for quite some time. The appeals were originally brought by Goldentree Development Company through Mr. Richard Hess. An appeal was also brought by Baltimore County Office of People's Counsel, but their appeal was subsequently dismissed in December of 1987.

A settlement agreement has been negotiated between the McNeals' and Goldentree Development Company, and property adjacent to the Mobile Home Park has been purchased by the McNeals. This property is in the form of a strip which lies between Compass Road and the McNeal Park. This property is known as Parcel A, and I have marked with cross marks it on the attached plan. Obviously, it would effect the set backs contained in the Order of Ms. Jung dated 1987. The biggest problem that my clients have with respect to Ms. Jung's Order has to do with the restrictions that she put on the property when she granted the variances in the special exception. Specifically, the problem has to do with the re-location of the units when existing residents or existing mobile homes leave or relocate. Her Order was dated in 1987; we are now in 1995 and it is very difficult to keep track of specific owners of specific units. In addition

LAW OFFICES
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October 11, 1995

Baltimore County Board of Appeals
400 Washington Avenue Room 49
Old Courthouse
Towson, MD 21204

RE: In the Matter of Clarence McNeal, Et Ux
Case No. 82-228-SPHA, 84-63-XA

Dear Sir/Madam:

Enclosed is a Motion to Dismiss in the above-referenced case.

Very truly yours,

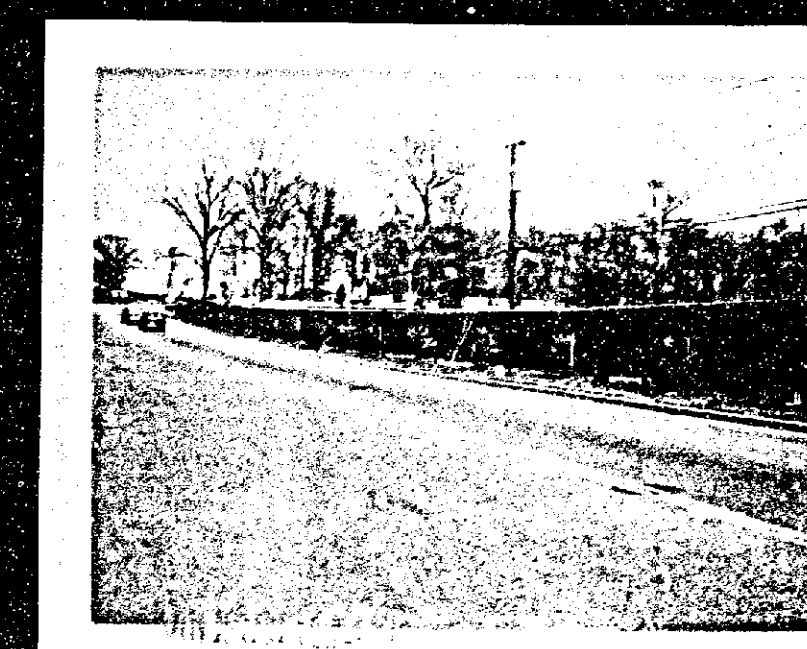
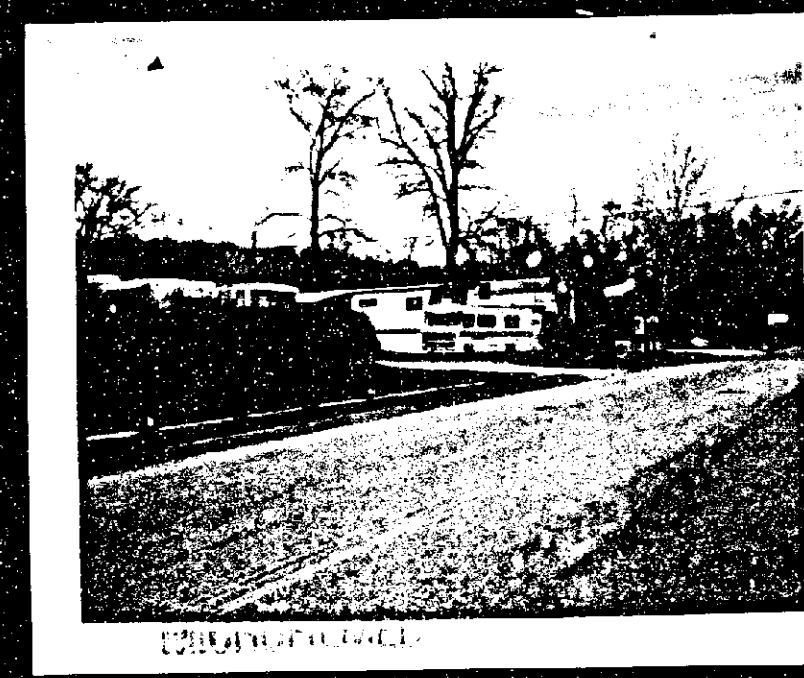
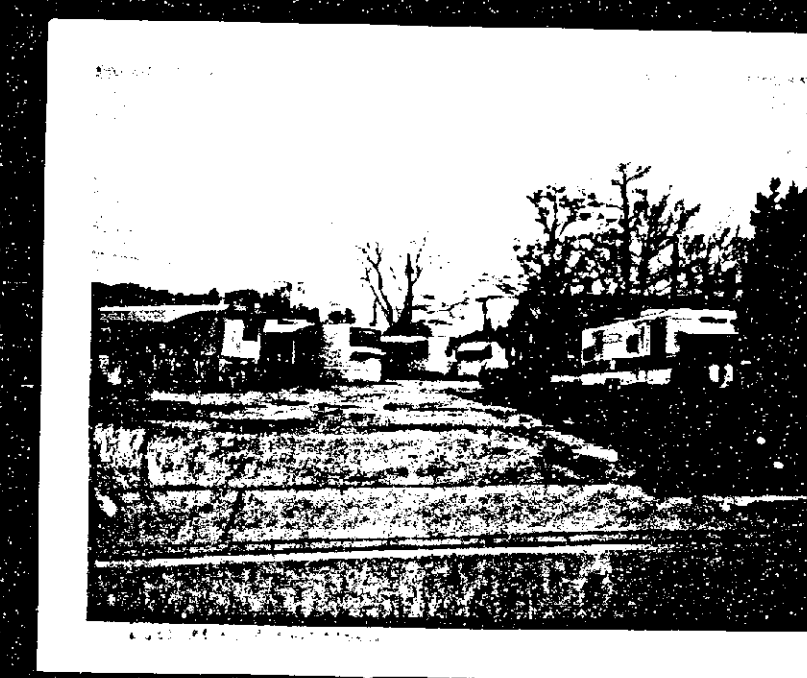
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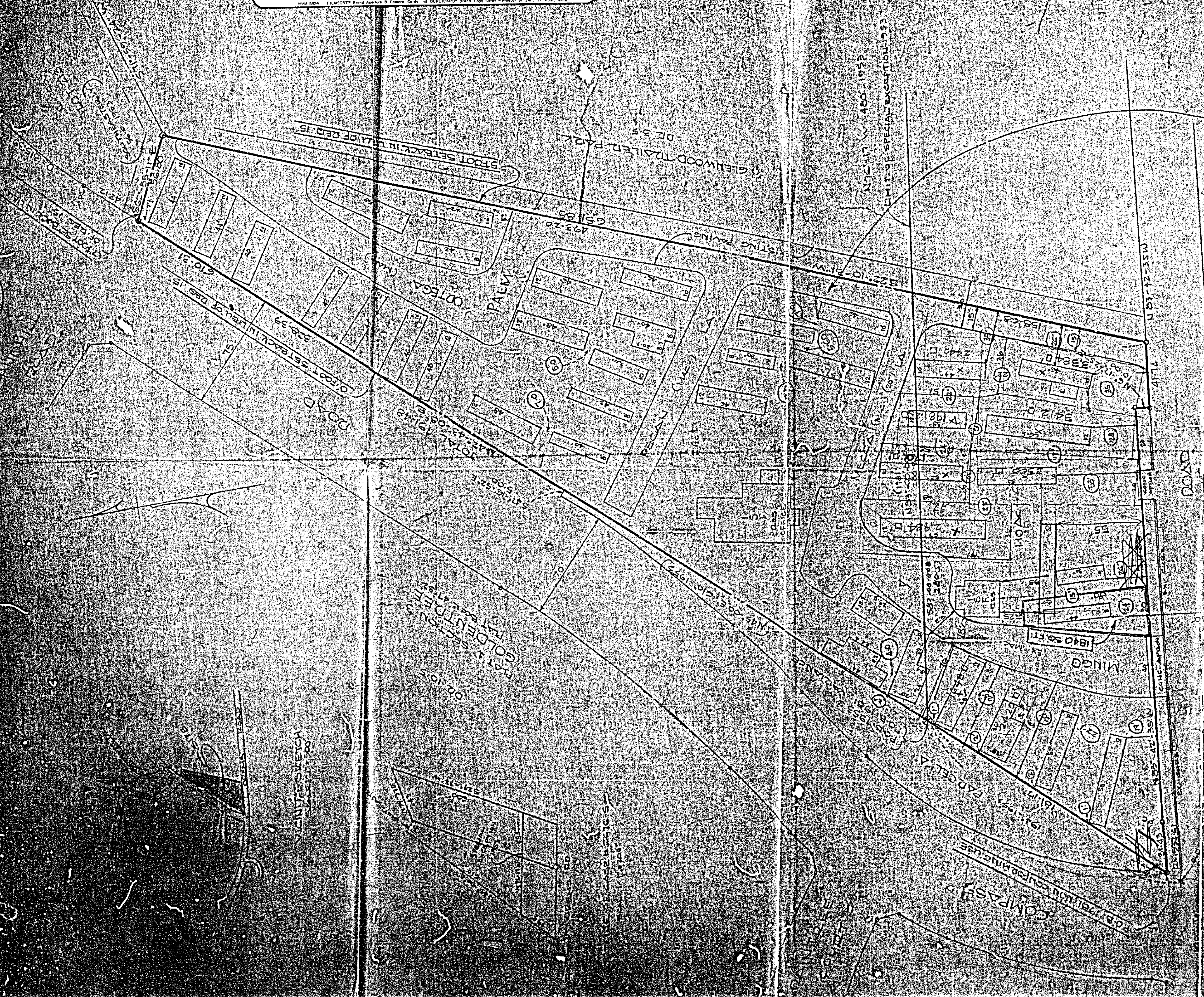
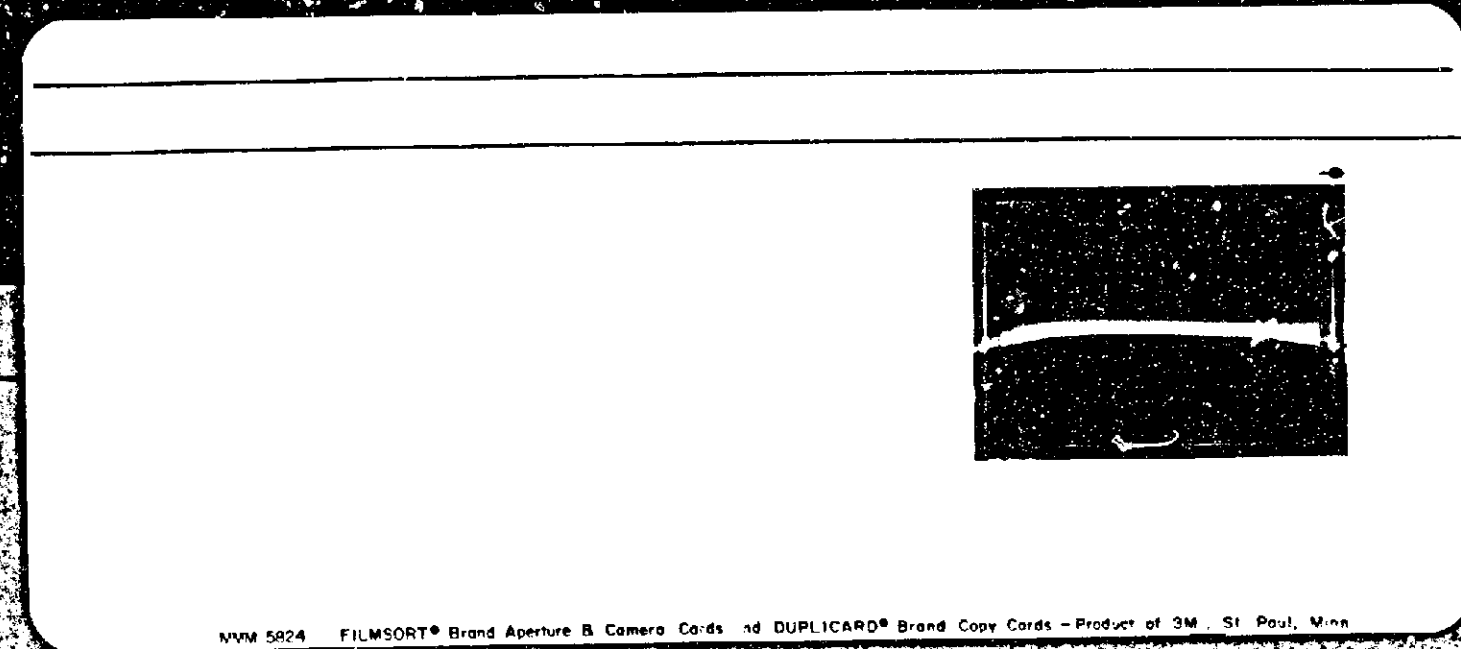
pmc

enclosure

clk:ltr.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204





PLAT TO ACCOMPANY PETITION FOR
VARIANCES FOR SETBACKS OF 0-5 FT. IN LIEU OF REQ'DS. AND VARIANCES
OF 50-60-70 AND 90' BETWEEN TRAILERS IN LIEU OF REQ'D 10'

12-C-822

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION AND VARIANCES

MCNEAL S TAILED PARK
151ST DISTRICT BALTIMORE CO, MARYLAND
SCALE: 1" = 30' DATE: 11-2-81
REVISED 5-22-83
DEED REF 218 1938-194
1940-1941

REVISED PLANS
ITEM 2/1990
JUL 8 1990



FRANK B. LAMB
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21257